## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

STAMBAUGH'S AIR SERVICE, INC. : ELECTRONICALLY FILED

:

Plaintiff,

: CIVIL ACTION NO. 1:CV-00-0660

:

SUSQUEHANNA AREA REGIONAL :

AIRPORT AUTHORITY; BAA :

VS.

HARRISBURG, INC.; DAVID FLEET, individually; DAVID HOLDSWORTH,

individually; and DAVID C.

MCINTOSH, individually

Defendants. : JURY TRIAL DEMANDED

## STATUS REPORT

This will update the status report filed on June 15, 2004, regarding the above-referenced matter. As noted previously, the undersigned is not representing Stambaugh's Air Service, Inc. ("Stambaugh's") in its bankruptcy proceeding. Therefore, in order to determine the status of that matter, we have communicated

again with Stambaugh's bankruptcy counsel, Robert E. Chernicoff, Esquire, and have reviewed the docket in that proceeding.

As noted previously, on January 6, 2004, Stambaugh's filed a Plan of Reorganization under Chapter 11 of the Bankruptcy Code along with a Disclosure Statement and a Motion To Approve Disclosure Statement And Voting Procedures, And To Fix Time For Confirmation Hearing And For Filing Acceptances Or Rejections Of Plan And To Fix Time For And Require The Filing Of Proofs Of Claim. The docket reveals that, on March 9, 2004, Stambaugh's filed an Amended Plan of Reorganization. On April 12, 2004, Stambaugh's filed a Report of the Tally of Votes for the Acceptance or Rejection of the Joint Plan of Reorganization Proposed by the Debtors Together with a Motion for Confirmation of the Joint Plan of Reorganization. On April 13, 2004, Stambaugh's file an Amended Plan of Reorganization. On April 16, 2004, the Bankruptcy Court issued an Order confirming the Amended Plan.

On June 30, 2004, Garbett Bronstein Stiphany & Allen PA filed a Motion to Compel Compliance by the Debtor with a Court Order Dated October 24, 2003 and with a Payment and Escrow Agreement Executed by the Debtor on April 2, 2004. Stambaugh's filed an answer to this motion on July 2, 2004, and the Court has scheduled a hearing on the motion for July 9, 2004.

As per the instructions in Deputy Clerk Cihak's letter, this report will be supplemented within 30 days.

Respectfully submitted,

Dated: July 6, 2004 s/ Brian P. Downey

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Attorney for Plaintiff

## **CERTIFICATE OF SERVICE**

I, Brian P. Downey, hereby certify that on July 6, 2004, a true and correct copy of the foregoing Status Report was served upon the following:

> First Class, U.S. Mail, postage prepaid Robert E. Chernicoff Cunningham & Chernicoff, P.C. 2320 North Second Street, P.O. Box 60457 Harrisburg, Pennsylvania 17106-0457

ECF System Dean F. Peirmattei, Esquire Rhoads & Sinon LLP One South Market Square Post Office Box 1146 Harrisburg, PA 17108

> s/ Brian P. Downey Brian P. Downey (PA 59891)